

Message Text

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FM AMCONSUL GUADALAJARA

TO SECSTATE WASHDC 2255

INFO AMEMBASSY MEXICO

AMCONSUL CD JUAREZ

ZNE/AMCONSUL HERMOSILLO 011

AMCONSUL MATAMOROS

AMCONSUL MAZATLAN

AMCONSUL MERIDA

AMCONSUL MONTERREY

AMCONSUL NUEVO LAREDO

AMCONSUL TIJUANA

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E.O. 11652: N/A

TAGS: CASC MX

SUBJ: OFFICIAL REPRESENTATIONS TO MEXICAN AUTHORITIES IN CASES OF
MALTREATMENT OF AMERICAN PRISONERS

REF: STATE 080101

1. FOLLOWING ARE CONGEN'S PROCEDURES FOR PROTECTION OF AMCIT
ARRESTEES, IN REPLY TO REFTEL.

(A) CONGEN DOES REPORT VIA CABLE IN EACH CASE OF ARREST OF AMCIT,
INFO EMB, WITH SUBSEQUENT SIGNIFICANT DEVELOPMENTS ALSO BEING
CABLED.

(B) YES, SUCH INCIDENTS ARE BROUGHT TO ATTENTION OF LOCAL
AUTHORITIES BY CONGEN, AND REPORTED TO DEPT AND EMBASSY.

(C) CONGEN DOES PROTEST NON-NOTIFICATION TO RESPONSIBLE LOCAL
AUTHORITIES, BUT USUALLY VERBALLY. A WRITTEN PROTEST IN EACH
CASE WOULD BE USELESS EXERCISE, SINCE LOCAL AUTHORITIES ALWAYS
PROFFER APOLOGIES, PROMISE TO INFORM US IN THE FUTURE, THEN

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FAIL TO DO SO. NON-NOTIFICATION WITHIN THREE DAYS, EXCEPT
THROUGH CONTACTS IN FEDERAL OFFICES AND OTHER POLICE ENTITIES,

OR FROM OUTSIDE SOURCES, IS RULE RATHER THAN EXCEPTION.

(D) IF ARRESTEE COMPLAINS OF MISTREATMENT TO CONOFF IT IS BROUGHT TO ATTENTION OF RESPONSIBLE MEXICAN AUTHORITIES IF HE SO DESIRES, AND THE EMBASSY IS INFORMED. OUR EXPERIENCE IS THAT AMCITS ALMOST INVARIABLY PREFER TO CONFINE THEIR COMPLAINTS TO REPRESENTATION TO CONOFF, AT SAME TIME REQUESTING THAT NO COMPLAINT BE MADE TO AUTHORITIES, SINCE THEY BELIEVE IT MIGHT COMPROMISE THEIR CHANCE FOR EARLY RELEASE.

(E) CONGEN HAD MAINTAINED SEPARATE CHRON FLE OF INCIDENTS, AND HAS KEPT INFO IN SUBJECT FILES. RECENT FIRE DESTROYED ARREST FILES, BUT NEW FILES WILL CONTINUE TO INCLUDE ONE FOR CHRON LISTING OF INCIDENTS.

(F) CONOFF OFFERS TO OBTAIN SERVICES OF DOCTOR FOR AMCITS WHO DESIRE IT, BUT FOR REASONS OUTLINED IN (D) ABOVE AMCITS USUALLY DO NOT WISH TO HAVE DOCTOR VISIT THEM IN EARLY STAGES OF DETENTION, WHEN COMPLAINTS OF MISTREATMENT ALMOST ALWAYS OCCUR. CONGEN UNCLEAR AS TO DEPT'S MEANING OF POST'S "ARRANGING" FOR OUTSIDE DOCTOR, AND WE PRESUME DEPT DOES NOT ANTICIPATE POST INCURRING EXPENSES FOR SUCH ARRANGEMENTS, WHICH WOULD PRESUMABLY FALL UPON AMCIT ARRESTEE.

2. CONGEN HAS HAD NO FORMAL COMPLAINTS OF THIS TYPE TO DATE FROM AMCIT PRISONERS, BUT WILL FOLLOW DEPT GUIDELINES WHEN SUCH OCCUR IN THE FUTURE.

COMMENT: CONGEN ANTICIPATES THAT MANY PRISONERS, KNOWING OF CONGRESSIONAL INTEREST IN THEIR ALLEGED MISTREATMENT, WILL INITIATE CLAIMS OF MISTREATMENT WHEN NONE HAVE BEEN MADE IN THE PAST, OR EVEN THOUGH THEY HAVE MADE THEM IN THE PAST BUT HAVE ASKED CONOFFS NOT TO FORWARD THEIR COMPLAINTS ON TO AUTHORITIES. EXAMPLE IS GARY SIPE, INCARCERATED IN ZACATECAS, WHO ENJOINED CONOFF FROM FORMALLY COMPLAINING OF HIS ALLEGED BEATINGS AFTER BEING ARRESTED BUT STILL WROTE TO CONGRESSMAN SISK, VIA HIS MOTHER, AND AIRED THE COMPLAINT, WHICH THE CONGRESSMAN NATURALLY PASSED TO US FOR ACTION.

SECOND POINT IS THAT COMPLAINTS OF MISTREATMENT BY PRISONERS IN
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GUADALAJARA CONSULAR DISTRICT INVARIABLY STEM FROM IMMEDIATE POST-ARREST TREATMENT BY POLICE, AND NOT FROM SUBSEQUENT PERIOD OF FORMAL INCARCERATION IN PENITENTIARES. AMCIT PRISONERS IN GUADALAJARA, MORELIA, ZACATECAS AND GUANAJUATO ALMOST UNIVERSALLY SAY THEY ARE WEEL TREATED, GIVEN CIRCUMSTANCES AT THEIR PRISON.

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